

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

*(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))*

Attorney Docket No 2034

*First Inventor*      Charles W. Norman

## Title: Pop-to-Pop Optical Wavelength Protection in a Communication System

*Express Mail Label No.*

## APPLICATION ELEMENTS

*See MPEP chapter 600 concerning utility patent application contents*

#### **ADDRESS TO**

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria VA 22313-1450

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 28]  
*(preferred arrangement set forth below)*  
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C.113) [Total Sheets 2]

5. Oath or Declaration [Total Sheets 2]  
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for a continuation/divisional with Box 18 completed)*

i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
  8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
    - a.  Computer Readable Form (CRF)
    - b. Specification Sequence Listing on:
      - i.  CD-ROM or CD-R (2 copies); or
      - ii.  paper
    - c.  Statements verifying identity of above copies

#### **ACCOMPANYING APPLICATIONS PARTS**

9.  Assignment Papers (cover sheet & document(s))  
10.  37 C.F.R. 3.73(b) Statement  Power of  
*(when there is an assignee)* Attorney  
11.  English Translation Document (*if applicable*)  
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Citations  
13.  Preliminary Amendment  
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*  
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*  
16.  Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.  
17.  Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: \_\_\_\_\_ / \_\_\_\_\_  
Prior application information: \_\_\_\_\_ Examiner: \_\_\_\_\_ Art Unit: \_\_\_\_\_

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number: 28004

Name				
Address				
City		State		Zip Code
Country		Telephone		Fax

Name (Print/Type)	Michael J. Setter	Registration No. (Attorney/Agent)	37,936
Signature		Date	8/26/03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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17231 U.S. PTO  
08/26/03

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1006)

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
Order
 Deposit Account:

Deposit Account Number	21-0765
Deposit Account Name	Sprint Communications Company, L. P.

## The Director is authorized to: (check all that apply)

- 
- Charge fee(s) indicated below
- 
- Credit any overpayments
- 
- 
- Charge any additional fee(s) during the pendency of this application
- 
- 
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code (\$)		
1001	750	2001 375	Utility filing fee
1002	330	2002 165	Design filing fee
1003	520	2003 260	Plant filing fee
1004	750	2004 375	Reissue filing fee
1005	160	2005 80	Provisional filing fee
SUBTOTAL (1)			(\$ 750)

## 2. EXTRA CLAIM FEES

Total Claims	32	-20 **	= 12	X 18	= 216
Independent Claims	2	-3 **	= 0	X	= 0
Multiple Dependent				X	= 0

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code (\$)		
1202	18	2202 9	Claims in excess of 20
1201	84	2201 42	Independent claims in excess of 3
1203	280	2203 140	Multiple dependent claim, if not paid
1204	84	2204 42	** Reissue independent claims over original patent
1205	18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)			(\$ 216)

\*\*or number previously paid, if greater; For Reissues, see above

## Complete if Known

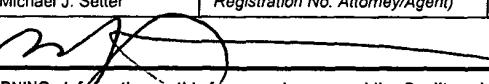
Application Number	applied for
Confirmation Number	
Filing Date	herewith
First Named Inventor	Charles W. Norman
Examiner Name	unknown
Art Unit	unknown
Attorney Docket No.	2034

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code (\$)		
1051	130	2051 65	Surcharge - late filing fee or oath
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130	Non-English specification
1812	2,520	1812 2,520	For filing a request for reexamination
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251	110	2251 55	Extension for reply within first month
1252	410	2252 205	Extension for reply within second month
1253	930	2253 465	Extension for reply within third month
1254	1,450	2254 725	Extension for reply within fourth month
1255	1,970	2255 985	Extension for reply within fifth month
1401	320	2401 160	Notice of Appeal
1402	320	2402 160	Filing a brief in support of an appeal
1403	280	2403 140	Request for oral hearing
1451	1,510	1451 1,510	Petition to institute a public use proceeding
1452	110	2452 55	Petition to revive – unavoidable
1453	1,300	2453 650	Petition to revive – unintentional
1501	1,300	2501 650	Utility issue fee (or reissue)
1502	470	2502 235	Design issue fee
1503	630	2503 315	Plant issue fee
1460	130	1460 130	Petitions to the Commissioner
1807	50	1807 50	Processing fee under 37 CFR 1.17 (q)
1806	180	1806 180	Submission of Information Disclosure Stmt
8021	40	8021 40	Recording each patent assignment per property (times number of properties)
1809	750	2809 375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	750	2801 375	Request for Continued Examination (RCE)
1802	900	1802 900	Request for expedited examination of a design application
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$ 40)

## SUBMITTED BY

Name (Print/Type)	Michael J. Setter	Registration No. Attorney/Agent)	37,936	Telephone	(303) 938-9999 ext. 13
Signature				Date	8/26/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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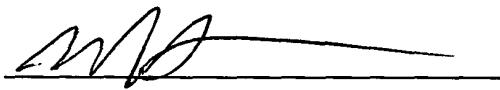
**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Charles W. Norman
Title	Pop-To-Pop Optical Wavelength Protection in a Communication System
Atty Docket Number	2034

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8/26/03

Date



Signature

(303) 938-9999 ext. 13

Telephone number

Michael J. Setter, Reg. 37,936

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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